

ORAL ARGUMENT NOT YET SCHEDULED**No. 18-5214**

In the
United States Court of Appeals
for the
District of Columbia Circuit

UNITED STATES OF AMERICA,
Plaintiff-Appellant,

v.

AT&T, INC.; DIRECTV GROUP HOLDINGS, LLC;
and TIME WARNER INC.,
Defendants-Appellees.

On appeal from a final judgment of the
U.S. District Court for the District of Columbia,
Hon. Richard J. Leon, No. 1:17-cv-2511

**NOTICE OF 37 ECONOMISTS, ANTITRUST SCHOLARS, AND
FORMER GOVERNMENT ANTITRUST OFFICIALS
OF INTENT TO PARTICIPATE AS *AMICI CURIAE***

ANDREW J. PINCUS
MARK W. RYAN
MICHAEL B. KIMBERLY
Mayer Brown LLP
1999 K Street NW
Washington, DC 20006
(202) 263-3127

Counsel for Amici Curiae

NOTICE OF INTENT TO PARTICIPATE AS *AMICI CURIAE*

Pursuant to Circuit Rule 29(b), *amici curiae* 37 economists, antitrust scholars, and former government antitrust officials hereby notify the Court of their intent to file an *amicus curiae* brief in this matter in support of the appellees. The identities and biographies of the signatories appear in the attached addendum. All parties consent to the filing of this brief.

September 26, 2018

Respectfully submitted,

/s/ Michael B. Kimberly

ANDREW J. PINCUS

MARK W. RYAN

MICHAEL B. KIMBERLY

Mayer Brown LLP

1999 K Street NW

Washington, DC 20006

(202) 263-3127

Counsel for amici curiae

CERTIFICATE OF SERVICE

I hereby certify that all participants in this appeal are registered CM/ECF users and that service will be accomplished via the Court's CM/ECF system this day, September 26, 2018.

Dated: September 26, 2018

/s/ *Michael B. Kimberly*

ADDENDUM

IDENTITIES AND BIOGRAPHIES OF THE *AMICI CURIAE*

1. Thomas C. Arthur is the L. Q. C. Lamar Professor of Law at the Emory University School of Law, where he has been on the faculty since 1982. Previously, he practiced law for eleven years in the Washington, D.C. office of Kirkland & Ellis. Arthur teaches antitrust, civil procedure, and administrative law. His research has been published in the *Antitrust Law Journal*, *California Law Review*, *Emory Law Journal*, *Journal of Corporation Law*, *New York University Law Review*, *Tulane Law Review*, and elsewhere. Arthur holds a B.A. from Duke University and a J.D. from Yale Law School.

2. Elizabeth E. Bailey is Professor Emeritus of Business Economics and Public Policy at the Wharton School at the University of Pennsylvania. Her research focuses on industrial organization (particularly the theory of contestability), economic deregulation, and strategic management of economic regulation. She has written three books, including *Economic Theory of Regulatory Constraint* (D.C. Heath 1973). Her research has appeared in such journals as the *American Economic Review*, *Bell Journal of Economics*, *Brookings Papers on Economic Activity*, *Economic Journal*, *Journal of Economic Literature*, *Journal of Law and Economics*, *Journal of Political Economy*, *Journal of Public Economics*, and the *Yale Journal on Regulation*. From 1983 to 1991, she was Dean of the Graduate School of Industrial Administration at Carnegie Mellon University. Bailey previously was a

Commissioner on the Civil Aeronautics Board. From 1960 to 1977, she was at Bell Laboratories, where she began as a computer programmer and rose to head of the Economics Research Department. She has served as a director of CSX Corporation, Philip Morris, and TIAA-CREF, and she has been a trustee of the Brookings Institution since 1988. Bailey is a member of the National Bureau of Economic Research and was elected a Fellow of the American Academy of Arts and Sciences in 1997. She received a B.A. from Radcliffe College, an M.S. from the Stevens Institute of Technology, and a Ph.D. from Princeton University, where she was the first woman to receive a doctorate in economics.

3. Jonathan Barnett is Professor of Law at the University of Southern California, Gould School of Law, where he directs the Media, Entertainment and Technology Law Program. He specializes in intellectual property, antitrust, and corporate law. Barnett has published articles in the *Harvard Law Review*, *Yale Law Journal*, *Journal of Legal Studies*, *Review of Law & Economics*, and other scholarly journals. He previously practiced at Cleary Gottlieb in New York. A graduate of the University of Pennsylvania, Barnett received a MPhil from Cambridge University and a J.D. from Yale Law School.

4. Donald J. Boudreaux is Professor of Economics at George Mason University, where he has been a faculty member since 2001. He was formerly Associate Professor of Economics at Clemson University and Assistant

Professor of Economics at George Mason University. From 1997 to 2001, Boudreaux was president of the Foundation for Economic Education. His research concerns antitrust economics and the economics of international trade, and his articles have been published in *The Journal of Commerce*, the *Cato Journal*, and the *Supreme Court Economic Review*, among other publications. Boudreaux has lectured around the world on subjects including competition law and economics. He received his B.A. from Nicholls State University, his M.A. from New York University, his J.D. from the University of Virginia, and his Ph.D. in economics from Auburn University.

5. Henry N. Butler is Dean, George Mason University Foundation Professor of Law, and Executive Director of the Law & Economics Center at the Antonin Scalia Law School, George Mason University. For over 25 years, Butler has led judicial education programs that teach the basics of economics, finance, accounting, statistics, and scientific methods to over 3,000 sitting federal and state judges. From 2007 to 2010, he served as the first executive director of the Searle Center on Law, Regulation, and Economic Growth at Northwestern University School of Law. Butler has held prior appointments at The Brookings Institution, Chapman University, the University of Kansas, the University of Chicago, and Texas A&M University. He received an M.A. and a Ph.D. in economics from Virginia Polytechnic Institute and State University and a J.D. from the University of Miami School of Law. He holds a bachelor's degree in economics from the University of Richmond.

6. Jeffrey R. Church is a Professor in Economics at the University of Calgary, where he has been on the faculty since 1989. From 1995 to 1996, he was the T. D. MacDonald Chair in Industrial Economics at the Canadian Competition Bureau. His published research includes articles on merger simulation, network economics, strategic competition, entry deterrence, intellectual property rights, and competition policy. His research has been published in the *Canadian Journal of Economics*, *International Journal of Industrial Organization*, *Journal of Competition Law & Economics*, *Journal of Econometrics*, *Journal of Economics and Management Strategy*, and elsewhere. Church is the coauthor of *Industrial Organization: A Strategic Approach* (McGraw-Hill 2000), as well as a monograph for the European Commission on the competitive impacts of vertical and conglomerate mergers and a book on the regulation of natural gas pipelines in Canada. He has served as an expert on regulatory and competition policy matters. Church has a Ph.D. in economics from the University of California, Berkeley, and a B.A. in economics from the University of Calgary.

7. Kenneth G. Elzinga is the Robert C. Taylor Professor in Economics at the University of Virginia, where he has been a faculty member since 1967. His major research interest is antitrust economics, especially pricing strategy and market definition. Elzinga has testified in several precedent-setting antitrust cases and was the economic expert for the prevailing parties in three Supreme Court cases: *Matsushita*, *Brooke Group*, and *Leegin*. He has

authored more than 100 academic publications. He was Special Economic Advisor to the Assistant Attorney General, Antitrust Division, from 1970 to 1971. A former Fellow in Law and Economics at the University of Chicago and a Thomas Jefferson Visiting Scholar at Cambridge University, Elzinga also is a past president of the Southern Economic Association. He has a B.A. from Kalamazoo College and a Ph.D. from Michigan State University.

8. Richard A. Epstein is the Laurence A. Tisch Professor of Law at the New York University School of Law, the Peter and Kristen Bedford Senior Fellow at the Hoover Institution, and the James Parker Hall Distinguished Service Professor of Law, Emeritus, and senior lecturer at the University of Chicago. He previously taught at the University of Southern California. Epstein has taught in a wide range of areas, including regulated industries, antitrust law, and administrative law, and has written extensively on these topics and others, including his book *Antitrust Consent Decrees in Theory and Practice: Why Less Is More*. He was editor of the *Journal of Legal Studies* (1981-1991) and the *Journal of Law and Economics* (1991-2001). He has been a senior fellow at the MacLean Center for Clinical Medical Ethics since 1984 and was elected a fellow of the American Academy of Arts and Sciences in 1985. Epstein received a B.A. in philosophy from Columbia University, a B.A. in law from Oxford University, and an LL.B. from Yale Law School.

9. Gerald R. Faulhaber is Professor Emeritus of Business and Public Policy, and of Management, at the Wharton School of the University of

Pennsylvania. He also holds a faculty appointment at the law school of the University of Pennsylvania. Previously, Faulhaber was Director of Strategic Planning and Financial Management at AT&T, after holding the position of Head of Economics Research at Bell Laboratories. He served as Chief Economist at the Federal Communications Commission from 2000 to 2001, where he worked on many telecommunications and Internet issues, including the AOL-Time Warner merger. Faulhaber is the author of several books, including *European Economic Integration: Technological Perspectives* and *Telecommunications in Turmoil: Technology and Public Policy*. He has served on numerous scholarly boards and review committees and was Vice-President of the Board of Directors of the Telecommunications Policy Research Conference in Washington, D.C. Faulhaber received his M.A. and Ph.D. in economics from Princeton University.

10. Harold Furchtgott-Roth is a Senior Fellow at the Hudson Institute and founder of the Center on the Economics of the Internet. He is an adjunct professor of law at Brooklyn Law School. He also is president of Furchtgott-Roth Economic Enterprises. From 1997 through 2001, Furchtgott-Roth served as a commissioner of the Federal Communications Commission. Before his appointment to the FCC, he was chief economist for the House Committee on Commerce and a principal staff member involved in the enactment of the Telecommunications Act of 1996. Furchtgott-Roth has served on corporate and advisory boards, is the author of scores of

publications, and has authored or co-authored four books. Furchtgott-Roth received a Ph.D. in economics from Stanford University and an S.B. in economics from the Massachusetts Institute of Technology.

11. Alexander Galetovic is Professor of Economics at the Universidad de los Andes in Santiago, Chile, and a visiting fellow at the Hoover Institution at Stanford University. Galetovic has written extensively on competition and regulation and published widely in leading academic journals, among them the *Journal of Political Economy*, *American Economic Review*, *Review of Economics and Statistics*, *Journal of the European Economic Association*, *Journal of Industrial Economics*, *Journal of Competition Law & Economics*, and *Harvard Business Review*. His current research addresses the interplay of intellectual property and antitrust in high technology industries. Galetovic holds a B.A. in economics from the Pontifical Catholic University of Chile and a Ph.D. in economics from Princeton University.

12. Charles J. Goetz is the Joseph M. Hartfield Professor of Law Emeritus at the University of Virginia School of Law, where, in 1975, he became the first full-time non-lawyer member of the faculty. He teaches antitrust law, contracts, law and economics, and modern methods of proof (complex evidence: experts, statistics, video, computers, and more). His research concerns the applications of economic analysis to law and antitrust, regulatory, and non-market public policy analysis. His books include

Antitrust Law: Interpretation and Implementation (with the late Fred S. McChesney) (Foundation Press 3d ed. 2006), *Using Experts: Pretrial Preparation, Trial Testimony and Settling Cases* (with Stephen A. Saltzburg and Gregory P. Joseph) (1985), and *Cases and Materials on Law and Economics* (West Publishing 1984). His articles have appeared in the *California Law Review*, *Columbia Law Review*, *Cornell Law Review*, *International Review of Law and Economics*, *Stanford Law Review*, *Virginia Law Review*, *Yale Law Journal*, and elsewhere. Goetz has taught economics courses for the judiciary, in the Law School's LL.M. program for judges, and in programs for the federal judiciary under the auspices of the Federal Judicial Center and the George Mason Law and Economics Center. He received an A.B. from Providence College in 1961 and a Ph.D. in economics from the University of Virginia in 1965.

13. Barry C. Harris is the Chairman of Economists Incorporated. He previously served as the Deputy Assistant Attorney General for Economics at the Antitrust Division. Harris was also Chief of the Rail Cost & Pricing Policy Branch at the International Chamber of Commerce and was a senior staff economist at the Antitrust Division. He is the author of many articles addressing competitive effects and other antitrust issues, and he has testified in many antitrust and regulatory proceedings concerning the competitive effects of mergers. Harris co-developed the concept of Critical Loss, which is used to identify antitrust markets, competitive effects, and the incentives of

merger participants and has been incorporated into the *Horizontal Merger Guidelines*. He holds a B.A. in mathematics from Lehigh University and a Ph.D. in economics from the University of Pennsylvania.

14. **Jerry A. Hausman** is the MacDonald Professor of Economics Emeritus at the Massachusetts Institute of Technology, where he has been a faculty member for 43 years. Hausman received the John Bates Clark Award from the American Economic Association in 1985 for the most outstanding contributions to economics by an economist under 40 years of age. He also received the Frisch Medal from the Econometric Society and the Biennial Medal of the Modeling and Simulation Society of Australia and New Zealand. In 2013, Hausman was named a Distinguished Fellow of the American Economic Association. His research concentrates on econometrics and applied microeconomics. His applied research has concerned demand for differentiated products, telecommunications, regulation, the effects of taxation on the economy, and industrial organization. Hausman is a co-inventor of merger-simulation models, which form the basis of the government's merger estimates in this case. He holds a DPhil from Oxford University, where he was a Marshall Scholar, and a B.A. from Brown University.

15. **Thomas W. Hazlett** is the Hugh H. Macaulay Endowed Professor of Economics at Clemson University, where he also serves as Director of the Information Economy Project. He has previously held faculty or research

positions at the University of California, Davis, Columbia University, the Wharton School, and George Mason University, and he was Chief Economist of the Federal Communications Commission. Hazlett is widely known for his research in telecommunications markets and government regulation, and his articles have appeared in such publications as the *Journal of Law & Economics*, *Journal of Financial Economics*, *RAND Journal of Economics*, *Journal of Competition Law & Economics*, *Economic Inquiry*, *Columbia Law Review*, *University of Pennsylvania Law Review*, and *Journal of Economic Perspectives*. He received his Ph.D. in economics from the University of California, Los Angeles. Hazlett's most recent book is *The Political Spectrum: The Tumultuous Liberations of Wireless Technology, From Herbert Hoover to the Smartphone* (Yale University Press 2017).

16. Justin “Gus” Hurwitz is an Associate Professor of Law and Co-Director of the Space, Cyber, and Telecommunications Law Program at the Nebraska College of Law. His work has appeared in the *Harvard Journal of Law and Technology*, *Michigan Telecommunications and Technology Law Review*, the *University of Pennsylvania Law Review*, and other law review and journals. Hurwitz previously was the inaugural Research Fellow at the University of Pennsylvania Law School’s Center for Technology, Innovation and Competition (CTIC) and a Visiting Assistant Professor at George Mason University Law School. From 2007 to 2010, he was a trial attorney with the Antitrust Division in its Telecommunications and Media Enforcement

Section. Hurwitz has a J.D. from the University of Chicago Law School, an M.A. in economics from George Mason University, and a B.A. from St. John's College.

17. **Keith Hylton** is the William Fairfield Warren Professor of Boston University and Professor of Law at Boston University School of Law. He is the author of *Antitrust Law: Economic Theory and Common Law Evolution* (Cambridge University Press 2003), a contributing editor of *Antitrust Law Journal*, co-editor of *Competition Policy International*, and a former chair of the Section on Antitrust and Economic Regulation of the American Association of Law Schools. Hylton has written on antitrust, tort law, labor law, intellectual property, civil procedure, and empirical legal analysis. He has published five books and more than 100 articles in legal and economic journals. Hylton has a B.A. from Harvard College, a J.D. from Harvard Law School, and a Ph.D. in economics from the Massachusetts Institute of Technology.

18. **Joseph P. Kalt** is the Ford Foundation Professor Emeritus of International Political Economy at the Kennedy School of Government at Harvard University. He also heads the Harvard Project on American Indian Economic Development. Kalt's research focuses on exploring the economic implications and political origins of the government regulation of markets. Kalt received his B.A. in economics from Stanford University and his M.A. and Ph.D. in economics from the University of California, Los Angeles.

19. **Benjamin Klein** is Professor Emeritus of Economics at the University of California, Los Angeles. He has consulted extensively on antitrust issues and has made many presentations to state, federal, and foreign regulatory agencies and courts. Klein has served as a consultant to the Federal Trade Commission and the Antitrust Division and has testified before Congress. He has published widely on antitrust, contract, and intellectual property issues, making landmark economic contributions in the areas of vertical restraints and the economics of the firm that have been cited in 25 U.S. federal court (including Supreme Court) decisions. He has taught at the Economics Institute for Federal Judges and currently serves on the board of editors of five academic journals, including as a contributing editor to the *Antitrust Law Journal*. He received his B.A. from Brooklyn College, City University of New York, and his M.A. and Ph.D. in economics from the University of Chicago.

20. **Jonathan Klick** is Professor of Law at the University of Pennsylvania Law School. His research focuses on using econometric methods to identify the causal effects of laws and regulations on individual behavior. Klick is the author of two books, including *The Empirical Revolution in Law and Economics*, and of articles in economics journals, including the *American Law & Economic Review*, *Journal of Economic Perspectives*, *Journal of Law & Economics*, *Journal of Law, Economics, and Organization*, and *Journal of Legal Studies*, and leading law reviews, including the *Columbia Law Review*,

Stanford Law Review, Texas Law Review, University of Chicago Law Review, and University of Pennsylvania Law Review. He received a B.S. from Villanova University, an M.S. from the University of Maryland, and a J.D. and Ph.D. in economics from George Mason University.

21. Thomas A. Lambert is the Wall Chair in Corporate Law and Governance and Professor of Law at the University of Missouri, School of Law. His scholarship focuses on antitrust, corporate and regulatory matters. Lambert is co-author of *Antitrust Law: Interpretation and Implementation* (5th ed., Foundation Press, 2013) and has authored or co-authored more than 20 journal articles in such publications as the *Antitrust Bulletin, Boston College Law Review, Minnesota Law Review, Texas Law Review, and Yale Journal on Regulation*. He previously practiced law with Sidley Austin and was a John M. Olin Fellow at Northwestern University School of Law and the Center for the Study of American Business (now the Murray Weidenbaum Center) at Washington University. He holds a B.A. from Wheaton College and a J.D. from the University of Chicago Law School.

22. William M. Landes is a senior lecturer and Clifton R. Musser Professor Emeritus of Law and Economics at the University of Chicago Law School. He has written widely on the application of economics and quantitative methods to law and legal institutions including antitrust, torts, civil and criminal procedure, intellectual property, judicial behavior, legal decision-making, and art law. He previously served as an editor of the

Journal of Law & Economics from 1975 to 1991 and the *Journal of Legal Studies* from 1991 to 2000. Landes is the co-author, with Judge Richard Posner, of the influential 1981 article “Market Power in Antitrust Cases,” published in the *Harvard Law Review*. He co-founded Lexecon (now Compass Lexecon) and has testified before numerous federal courts and regulatory commissions. Landes has served as President of the American Law and Economics Associations and is a Fellow of the American Academy of Arts and Sciences. He received his B.A. and Ph.D. in economics from Columbia University.

23. Stan Liebowitz is the Ashbel Smith Professor of Managerial Economics at the Naveen Jindal School of Management, University of Texas at Dallas, and Director of the Center for Economic Analysis of Property Rights and Innovation. He is the author of *Rethinking the Network Economy: The Real Forces That Drive the Digital Marketplace and Winners, Losers, and Microsoft: Competition and Antitrust in High Technology*. Liebowitz has published articles in journals such as the *American Economic Review*, *Harvard Journal of Law & Technology*, *Journal of Political Economy*, *Journal of Law and Economics*, and the *Journal of Competition Law & Economics*. He received a B.A. from Johns Hopkins University and a Ph.D. in economics from the University of California, Los Angeles.

24. Abbott B. “Tad” Lipsky, Jr. is an adjunct professor at the Antonin Scalia Law School, George Mason University. From 1981 to 1983,

Lipsky served as Deputy Assistant Attorney General in the Antitrust Division. Lipsky was the chief antitrust lawyer for the Coca-Cola Company from 1992 to 2002. More recently he served as co-chair of the Transition Team for the Federal Trade Commission following the election of President Donald Trump. Following his retirement in February 2017 after 15 years of partnership at Latham & Watkins LLP, Lipsky served as the Acting Director of the FTC's Bureau of Competition until July 2017. He has written, spoken, and testified extensively on antitrust law, economics, policy, and legislation. He received a B.A. from Amherst College, an M.A. in economics from Stanford University, and a J.D. from Stanford Law School.

25. John E. Lopatka is the A. Robert Noll Distinguished Professor of Law at Penn State Law. He has published over 40 articles on antitrust, economic analysis of law, and regulated industries. He co-authored the multi-volume treatise *Federal Antitrust Law* and *The Microsoft Case: Antitrust, High Technology, and Consumer Welfare* (University of Chicago Press 2007). Lopatka is a member of the American Bar Association's Antitrust Section leadership and is a contributing editor of the section's *Antitrust Law Journal*. From 2001 until 2004, he was a consultant to the Office of General Counsel of the Federal Trade Commission. He received a B.A. from Loyola University of Chicago, a J.D. from the University of Chicago, and an LL.M. from Columbia University, where he also served as an Associate in Law and Fellow in the Center for Law and Economic Studies.

26. **John W. Mayo** is the Elsa Carlson McDonough Chair of Business Administration and a Professor of Economics, Business and Public Policy at Georgetown University's McDonough School of Business. His research concerns industrial organization, regulation, antitrust, and, more generally, the application of microeconomics to public policy. Mayo has published over 100 articles, book chapters, and monographs in economics, law, and public policy journals, as well as a comprehensive text on *Government and Business: The Economics of Antitrust and Regulation*. He has held senior administrative positions at Georgetown, including a term as the Dean of the McDonough School of Business. Mayo previously was a Visiting Scholar at Stanford University and the University of California, Berkeley, and has served as an advisor and consultant to both public and private agencies. Mayo has participated in a number of regulatory and antitrust proceedings and has testified before both Congress and state legislative and regulatory bodies on a number of matters, including monopolization, price fixing, mergers, and regulatory policy. He received his B.A. from Hendrix College and his Ph.D. in economics from Washington University in St. Louis.

27. **Janusz A. Ordover** is Professor of Economics Emeritus and a former Director of the Masters in Economics Program at New York University. He has served as the Deputy Assistant Attorney General for Economics in the Antitrust Division under President George H. W. Bush. Ordover has been an adviser to the Organization for Economic Cooperation

and Development (OECD) in Paris, the World Bank, and the Inter-American Bank for Development on matters of privatization, regulation, international trade policy, and competition policy. He has advised the governments of Poland, the Czech Republic, Russia, Hungary, Argentina, and others on regulation and competition matters, as well as on privatization strategies. He has published many articles in economics and law journals on various antitrust issues, including predation, access to bottleneck facilities, vertical integration, and the overlap between intellectual property rights and competition policy. He received a B.A. from Warsaw University and a Ph.D. in economics from Columbia University.

28. Jorge Padilla is Senior Managing Director of Compass Lexecon and Head of Compass Lexecon Europe and teaches competition economics at the Barcelona School of Economics and the Toulouse School of Economics. He is also a Research Fellow at the Centro de Estudios Monetarios y Financieros (CEMFI, Madrid). His expertise includes the assessment of the competitive effects of vertical mergers, including in particular mergers involving content providers and MVPD firms. He has published articles on antitrust, banking, corporate finance, and industrial organization in journals such as the *Antitrust Law Journal*, *International Journal of Industrial Organization*, *Journal of Economic Theory*, *Journal of Economics and Management Strategy*, *Journal of Competition Law & Economics*, *Journal of Law and Economics*, *RAND Journal of Economics*, *Review of Financial Studies*, and

the *University of Chicago Law Review*. He has a B.A. in economics from the University of Alicante, as well as an MPhil and DPhil in economics from the University of Oxford, Nuffield College.

29. J. Gregory Sidak is the chairman of Criterion Economics, which he founded in 1999. He has testified as an expert economic witness in complex business disputes throughout the world, and he twice served as Judge Richard Posner's court-appointed neutral economic expert. Sidak co-founded the *Journal of Competition Law & Economics*, published by the Oxford University Press. He has held the Ronald Coase Professorship of Law and Economics at Tilburg University in the Netherlands and the F.K. Weyerhaeuser Chair in Law and Economics at the American Enterprise Institute for Public Policy Research. He has been a senior lecturer at the Yale School of Management and a visiting professor at Georgetown University Law Center. Sidak was Judge Posner's first law clerk, served on the senior staff of the Council of Economic Advisers in the Executive Office of the President, and was deputy general counsel of the Federal Communications Commission. He has published six books and approximately 150 scholarly articles, primarily on antitrust, telecommunications regulation, and intellectual property. The Supreme Court of the United States, the U.S. Court of Appeals for the D.C. Circuit, and many other courts and regulatory bodies have cited his writings approvingly. He received A.B. and A.M. degrees in economics and a J.D. from Stanford University.

30. **Pablo T. Spiller** is the Jeffrey A. Jacobs Distinguished Professor of Business & Technology, Emeritus, at the Haas School of Business at the University of California, Berkeley, and a Research Associate of the National Bureau of Economic Research. His research focuses on industrial organization, political economy, economics of regulation and antitrust, and regulatory issues in developing countries. Spiller is the author of nine books and many articles that have appeared in such journals as the *International Review of Law & Economics*, *Journal of Economic Behavior and Organization*, *Journal of Economics and Management Strategy*, *Journal of Economic Perspectives*, *Journal of Economic Theory*, *Journal of Industrial Economics*, *Journal of Law & Economics*, *Journal of Law, Economics and Organization*, *Journal of Legal Studies*, *Journal of Political Economy*, *Journal of Regulatory Economics*, *Quarterly Journal of Economics*, and *RAND Journal of Economics*. Spiller is editor-in-chief of *Journal of Law, Economics and Organization*. In 2002, he served as Special Assistant to the Director of the Bureau of Economics in the Federal Trade Commission. He received a B.A. and an M.A. in economics from the Hebrew University of Jerusalem and an M.A. and a Ph.D. in economics from the University of Chicago.

31. **Matthew L. Spitzer** is the Director of the Searle Center on Law, Regulation, and Economic Growth and the Howard and Elizabeth Chapman Professor of Law at Northwestern University. He previously was on both the faculties of Law and Business at the University of Texas, where he served as

Director of the Massey Prize in Law, Innovation, and Capital Markets and also as the Director of the Center for Law, Business, and Economics. Before that, Spitzer was Professor of Social Science at the California Institute of Technology and Professor of Law at the University of Southern California. From 2000 to 2006, he served as the Dean of the Gould School of Law at the University of Southern California. Spitzer's publications are in administrative law, telecommunications regulation, judicial politics, and law and economics. He received a B.A. from the University of California, Los Angeles, a J.D. from the University of Southern California, and a Ph.D. from the California Institute of Technology.

32. Alan O. Sykes is Professor of Law at Stanford Law School and a Senior Fellow at the Stanford Institute for Economic Policy Research. His writing and teaching have encompassed international trade, torts, contracts, insurance, antitrust, international investment law, and economic analysis of law. He has served as a court-appointed neutral economic expert in antitrust litigation. In 2010, he founded Stanford Law School's LLM program in International Economic Law, Business, and Policy (IELBP). Sykes is on the Board of Editors for the *Journal of International Economic Law*, the *World Trade Review*, and a member of the editorial board of the *American Journal of International Law*. He has served as an editor of the *Journal of Legal Studies* and the *Journal of Law and Economics*. Sykes previously was the Robert A. Kindler Professor of Law at New York University Law School and

the Frank and Bernice J. Greenberg Professor of Law at the University of Chicago Law School. He holds a B.A. from the College of William & Mary and a J.D. and Ph.D. in economics from Yale University.

33. David J. Teece is the Tusher Professor of Global Business at the Haas School of Business, University of California, Berkeley, and Director of the Institute for Business Innovation. He is also Chairman of Berkeley Research Group, a global expert services and consulting firm. Teece has authored over 30 books and 200 scholarly papers and is co-editor of the *Palgrave Encyclopedia of Strategic Management* and *Industrial & Corporate Change*. He received his B.A. and Master of Commerce (with first-class honors) from the University of Canterbury and his Ph.D. in economics from the Wharton School of the University of Pennsylvania.

34. John T. Tschirhart is Emeritus Professor of Economics at the University of Wyoming, where he has been on the faculty since 1985. From 1988 to 2004, he also served as the Director of the Public Utility Research and Training Institute (PURTI) at the University of Wyoming. Tschirhart is the co-author of *Natural Monopoly Regulation: Principles and Practice* (Cambridge University Press 1988), which has been used at numerous universities and regulatory agencies. His research has been published in the *Accounting Review*, *American Economic Review*, *Bell Journal of Economics*, *Economica*, *Journal of Economic Literature*, *Journal of Economic Perspectives*, *Journal of Law and Economics*, *Journal of Political Economy*, *Journal*

of Public Economics, Journal of Regulatory Economics, RAND Journal of Economics, Review of Economics and Statistics, Review of Industrial Organization, and elsewhere. Tschirhart has a B.S. from Johns Hopkins University and an M.S. and a Ph.D. in economics from Purdue University.

35. Robert D. Willig is Professor Emeritus of Economics and Public Affairs at the Woodrow Wilson School and the Economics Department of Princeton University. Before his 40 years teaching at Princeton, he was a Supervisor in the Economics Research Department of Bell Laboratories. His teaching and research have specialized in industrial organization, the relationship between government and business, and welfare theory. Willig served as Deputy Assistant Attorney General for Economics in the Antitrust Division from 1989 to 1991. He is the author of *Welfare Analysis of Policies Affecting Prices and Products* (Garland Press 1980), *Contestable Markets and the Theory of Industry Structure* (with William J. Baumol and John C. Panzar) (Harcourt Brace Jovanovich 2d ed. 1989), and many articles in the *American Economic Review, Bell Journal of Economics, Econometrica, Harvard Law Review, Journal of Finance, Journal of Law & Economics, Journal of Political Economy, Quarterly Journal of Economics, Yale Law Journal*, and other journals. Willig is co-editor of *The Handbook of Industrial Organization* (North Holland Press 1989), and he has served on the editorial boards of the *American Economic Review, the Journal of Industrial Economics*, and the MIT Press Series on Regulation. He is an elected Fellow

of the Econometric Society. He received a Ph.D. in economics from Stanford University in 1973, an M.S. in operations research from Stanford in 1968, and an A.B. in mathematics from Harvard University in 1967.

36. Christopher S. Yoo is the John H. Chestnut Professor of Law, Communication, and Computer & Information Science at the University of Pennsylvania, where he also serves as the Founding Director of the Center for Technology, Innovation and Competition. He has published five books and more than 90 articles in leading legal and economic journals, including the *Harvard Law Review*, *Columbia Law Review*, *University of Chicago Law Review*, *New York University Law Review*, *University of Pennsylvania Law Review*, and *Review of Industrial Organization*. Yoo received an A.B. from Harvard College, an MBA from the Anderson School at the University of California, Los Angeles, and a J.D. from Northwestern University Pritzker School of Law. He previously taught at the Vanderbilt Law School and clerked for A. Raymond Randolph of the U.S. Court of Appeals for the D.C. Circuit and Anthony M. Kennedy of the Supreme Court of the United States.

37. John M. Yun is Associate Professor of Law at the Antonin Scalia Law School, George Mason University, and the Director of Economic Education at the Global Antitrust Institute (GAI). He previously was the Acting Deputy Assistant Director in the Bureau of Economics at the Federal Trade Commission. His experience includes the analysis of horizontal mergers, vertical restraints, and exclusionary conduct. His research concerns

law and economics, antitrust, regulatory policy, and industrial organization. Yun has published articles in academic journals, including the *International Journal of Industrial Organization*, *Economic Inquiry*, *International Review of Law and Economics*, and *Review of Industrial Organization*. He has taught economics at Georgetown University, Emory University, and Georgia Tech. He received his B.A. in economics from the University of California, Los Angeles, and his Ph.D. in economics from Emory University.